

RCE/2800

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/729,279
Filing Date	December 5, 2000
First Named Inventor	TAKESHI YAMAWAKI ET AL
Group Art Unit	2852
Examiner Name	Susan Shuk Yin Lee
Attorney Docket Number	03500.014978.

#21
RCE
SDavis
10/22/03

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____

b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(a) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge any deficiencies in the following fees, or credit any overpayments, to Deposit Account No. 06-1205

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____

b. ☒ Check in the amount of \$ 770.00 is enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	LEONARD P. DIANA	Registration No. (Attorney/Agent)	29,296
Signature	<i>Leonard P. Diana</i>	Date	OCTOBER 10, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	LEONARD P. DIANA	Date	OCTOBER 10, 2003
Signature	<i>Leonard P. Diana</i>		

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#22
Response
SDavis
10/22/03

Response Under 37 C.F.R. § 1.116
Group Art Unit 2852, Expedited Procedure

03500.014978.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TAKESHI YAMAWAKI ET AL.)
Appln. No.: 09/729,279 ✓)
Filed: December 5, 2000 ✓)
For: OPTICAL SCANNING)
APPARATUS, IMAGE FORMING:)
APPARATUS, AND METHODS)
OF PERFORMING OPTICAL)
SCANNING USING OPTICAL)
SCANNING APPARATUS AND)
IMAGE FORMING APPARATUS)

Examiner: Susan Shuk Yin Lee
Group Art Unit: 2852

October 10, 2003

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RESPONSE AFTER FINAL ACTION

Sir:

In response to the Office Action of July 10, 2003, Applicants submit the following Remarks, which begin at page 2.

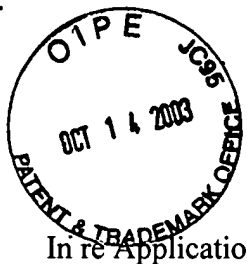
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October 10, 2003.
(Date of Deposit)

LEONARD P. DIANA (Reg. No. 29,296)
(Name of Attorney for Applicants)

Leonard P. Diana
Signature

October 10, 2003
Date of Signature



In re Application of:

TAKESHI YAMAWAKI ET AL.

Appln. No.: 09/729,279

Filed: December 5, 2000

For: OPTICAL SCANNING APPARATUS, IMAGE FORMING APPARATUS, AND METHODS OF PERFORMING OPTICAL SCANNING USING OPTICAL SCANNING APPARATUS AND IMAGE FORMING APPARATUS

Mail Stop RCE
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	(2) CLAIMS REMAINING AFTER AMENDMENT		(4) HIGHEST NO. PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	* 105	MINUS	** 105	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	* 4	MINUS	*** 5	= 0	x \$43 \$86	\$0.00
Fee for Multiple Dependent claims \$140°/\$280						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$0.00

Response After Final Action
Group Art Unit **2852**, Expedited Procedure

Docket No. 03500.014978.

Examiner: Susan Shuk Yin Lee

Group Art Unit: 2852

Date: October 10, 2003

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- * If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

☐ A check in the amount of \$____ is enclosed.


☐ Charge \$____ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.

☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Patent and Trademark Office is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.

☐ A check in the amount of \$____ to cover the Extension fee for response with a ____-month extension is enclosed.

☐ A check in the amount of \$____ to cover the Information Disclosure Statement fee is enclosed.

☒ Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100 or by facsimile at (212) 218-2200. All correspondence should continue to be directed to our address given below.



Attorney for Applicants
Leonard P. Diana
Reg. No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10132-3801

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